

REMARKS

By this Amendment, claims 28 and 29 are amended and claims 1, 6, 7, 10, 12, 15, 16, 21, 22, 24-27, 30 and 31 are canceled without prejudice to or disclaimer of the subject matter recited therein. No new matter is added. Thus, claims 117-19, 28 and 29 are now pending in this application. Those claims should be allowed for at least the reasons discussed below.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution and merely cancel claims or amend dependent claims for consistency in terminology; (c) satisfy a requirement of form asserted in the previous Office Action by addressing raised §112 issues; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Preliminary Issues

Applicants thank the Examiner for the indication that claims 17-19 are allowed. However, because claims 28-29 properly depend from claim 17, upon overcoming the outstanding §112 rejection, these claims should also be in condition for allowance as indicated in the Advisory Action.

Applicants also again acknowledge that the certified copy of the prior application has not been submitted. Applicants will submit the requested certified copy upon indication of allowability for the remainder of the pending claims.

II. Formal Matters

In the Office Action, claims 26-31 are rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

The subject matter of claims 26, 27, 30 and 31 canceled. Therefore, the rejection of these claims is moot.

Additionally, claims 28 and 29 are revised for consistency with and antecedent support from the underlying base claim 17. Claims 28 and 29 are also concise and definite. Withdrawal of the objection is respectfully requested.

In the Office Action, claims 22-23 (presumably claims 21-22) are objected to under 37 CFR §1.75(c) for being duplicative. This rejection is respectfully traversed.

Based on the detailed description of the rejection, it is believed that claims 21-22 were intended instead of the identified claims 22-23. However, because claims 21-23 have been canceled, this rejection is rendered moot. Withdrawal of the rejection is respectfully requested.

III. The Pending Claims Define Patentable Subject Matter

In the Office Action, claims 1, 6, 7, 10, 28, 29, 12, 15, 16, 30 and 31 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,049,700 to Kobayashi. This rejection is respectfully traversed.

Claims 1, 6, 7, 10, 12, 15, 16, 30 and 31 are canceled. Thus, the rejection of these claims is moot.

With respect to dependent claims 28 and 29, these claims depend from allowable base claim 17 and are therefore in condition for allowance. Withdrawal of the rejection is respectfully traversed.

In the Office Action, claims 21, 22, 26 and 27 are rejected under 35 U.S.C. §102(b) over German Patent Publication No. DE 3731126 to Schmid. This rejection is respectfully traversed. However, because claims 21, 22, 26 and 27 are canceled, this rejection is moot. Withdrawal of the rejection is respectfully requested.

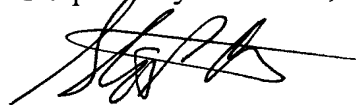
Additionally, claims 24-27 are rejected under 35 U.S.C. §102(b) over Schmid in view of Kobayashi. Because claims 24-27 are canceled, this rejection is moot. Withdrawal of the rejection is respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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DMS:SPC/add

Attachment:
Petition for Extension of Time

Date: December 11, 2008

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